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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/991,804	11/19/2001	Travis J. Parry	10008076-1	5590

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EXAMINER

LEE, TOMMY D

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 09/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/991,804	Applicant(s) PARRY, TRAVIS J.	
	Examiner Thomas D. Lee	Art Unit 2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 15-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. These claims recite a computer-usable medium. Functional descriptive material comprising computer programs or algorithms that impart functionality when employed as a computer component must be embodied on a computer readable medium to impart its functionality (see MPEP 2106.IV.B1(a)).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 3, 8, 10, 14, 15 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 6,078,400 (Mizutani).

Regarding claims 1 and 3, Mizutani discloses an imaging device comprising: a processor adapted to compile error information when an error is detected, wherein the error is based on one or more imaging device processes (error detecting device detects an error in processes (column 7, lines 28-31)); a print engine coupled to the processor and adapted to produce tangible output images (image data generating device analyzes

print data from print control device, and generates image data such as bitmap data (column 7, lines 8-17)); a storage device coupled to the processor, wherein the processor is adapted to store the error information for one or more of transmission, retrieval, and disposal of the error information based on user criteria (image data storing device stores image data as error information, which is sent by error information sending device to client apparatuses (column 7, lines 32-37)); and a control panel coupled to the processor and adapted to enable access of the error information (error information may be alternatively displayed according to user's selection (column 10, lines 32-36)).

Regarding claims 8, 10 and 14, Mizutani discloses a method of error archiving for an imaging device, comprising: monitoring system operations for the imaging device (error detecting device detects an error in processes (column 7, lines 28-31)); when an error is detected, compiling information about the error into an error file for one or more of storage, transmission, retrieval, and disposal (image data storing device stores image data as error information (column 7, lines 32-37)); transmitting the compiled error information to an output device or associated imaging device administration program (error information sent by error information sending device to client apparatuses (column 7, lines 32-37)).

Claims 15 and 18 recite a computer-usable medium for performing the method steps recited in above-rejected 8 and 14, respectively. Mizutani discloses such a medium (CD-ROM, floppy disk or the like (column 11, lines 1-11)).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mizutani.

Mizutani does not disclose the type of image data storing device used for storing the error information. However, one of ordinary skill in the art would have recognized that any type of storage device capable of storing data may be used, with equal effect, for storing the error information disclosed in Mizutani, and thus it would have been obvious for one of ordinary skill in the art to provide a storage device such as an SRAM, DRAM, non-volatile memory, register, magnetic media and optical media, in Mizutani for storing error information.

6. Claims 2, 5, 6, 9, 12, 13, 16, 17, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mizutani as applied to claims 1, 8 and 15 above, and further in view of U.S. Patent 5,845,057 (Takeda et al., hereinafter Takeda).

Mizutani does not disclose error information comprising user error information and administrator error information, including the location where the error occurred, the type of error detected, and one or more of the program address where the error occurred, contents of the file being processed when the error occurred, sequence of events that led up to the error, type of file being processed when the error occurred, size of the file being processed when the error occurred, and a stack trace, as recited in

claims 2, 5 and 6, and as similarly recited in claims 9, 12, 16 and 19; determining correction procedures based on the detected error, as recited in claims 13 and 20; or printing the compiled error information, as recited in claim 17. Takeda discloses a print processing method for a plurality of printing apparatuses connected to a network, wherein a report sheet image is generated, showing, in addition to a name of a substitute printing apparatus, a current state of the apparatus having an error, measures to remove the error, etc. (read Abstract). The report sheet image displays user and administrator error information (column 9, line 32 – column 10, line 53; Figs. 8-11)). The error information disclosed in Mizutani comprising image data recorded when the error occurred, and thus does not inform a user of the type of error that has taken place. By providing a report sheet as disclosed in Takeda, a user can easily determine why an error occurred, and thus determine how to remedy the situation. Therefore, it would have been obvious for one of ordinary skill in the art to modify the teaching of Mizutani by providing a printout of user and administrator error information, as disclosed in Takeda.

7. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mizutani as applied to claim 1 above, and further in view of U.S. Patent 5,956,487 (Venkatraman et al., hereinafter Venkatraman).

Mizutani does not disclose an embedded web server coupled to the processor, wherein the embedded web server is adapted to interface between the processor and one or more user-identified addresses. Venkatraman discloses an embedded web access mechanism for user interface functions including a web server and web browser,

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enabling a user to access a web page by a web browser (read Abstract). With a web server embedded within a device that has experienced an error or malfunction, a user is able to contact a web site that offers service or support, so that the user may obtain information for resolving the error or malfunction without delay. Therefore, it would have been obvious for one of ordinary skill in the art to modify the teaching of Mizutani by providing an embedded web server, as disclosed in Venkatraman.

8. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mizutani as applied to claim 8 above, and further in view of Takeda and U.S. Patent 6,108,099 (Ohtani).

Neither Mizutani nor Takeda disclose transmitting administration error information to one or more user-designated addresses, wherein the one or more user designated address comprise one or more e-mail addresses, web addresses, printer addresses, facsimile addresses, and http addresses, as recited in claim 11. Ohtani discloses an image forming apparatus and management system, wherein an address of a predetermined network terminal is stored in memory, and an e-mail is produced by the image forming apparatus and sent to the network terminal when an abnormal condition is detected (read Abstract). By providing such a feature, a user is able to contact a supplier immediately when an abnormal condition occurs, without having to manually generate an order, thereby minimizing the amount of time the device is inoperable due to the abnormal condition. Therefore, it would have been obvious for one of ordinary skill in the art to modify the combined teaching of Mizutani and Takeda by providing transmission of administration error information, such as disclosed in Ohtani.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas D. Lee whose telephone number is (571) 272-7436. The examiner can normally be reached on Monday-Friday (7:30-5:00), alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Thomas D. Lee
Primary Examiner
Art Unit 2624

tdl
September 1, 2005